

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

OLLIE GREENE, *et al.*,

Plaintiffs

v.

TOYOTA MOTOR CORPORATION, *et al.*,

Defendants.

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CAUSE NUMBER: 3:11-cv-0207-N

**PLAINTIFFS AND THE TOYOTA DEFENDANTS'
AGREED MOTION TO DISMISS WITH PREJUDICE**

TO THE HONORABLE UNITED STATES DISTRICT JUDGE:

COMES NOW Plaintiffs Ollie Greene, Individually as the surviving parent of Wyndell Greene, Sr., William Greene, as Administrator of the Estate of Wyndell Greene Sr., and Marilyn Burdette Hardeman, Individually and as the surviving parent of LaKeysha Greene (collectively "Plaintiffs") and Defendants Toyota Motor Corporation, Toyota Motor Engineering & Manufacturing North America, Inc., and Toyota Motor Sales, U.S.A., Inc. (collectively the "Toyota Defendants") and file this Agreed Motion to Dismiss with Prejudice, respectfully showing:

1. All matters in controversy as between Plaintiffs and the Toyota Defendants in this lawsuit have been fully and finally resolved.
2. Accordingly, Plaintiffs and the Toyota Defendants move the Court to dismiss all of Plaintiffs' claims and causes of action against Toyota Motor Corporation, Toyota Motor Engineering & Manufacturing North America, Inc., and Toyota Motor Sales, U.S.A., Inc. with prejudice to re-filing same. This motion to dismiss encompasses: (1) all claims and causes of action asserted against any of the Toyota Defendants by Plaintiffs in this

lawsuit and (2) any and all causes of action that were or could have been made by Plaintiffs against any of the Toyota Defendants.

3. Plaintiffs and the Toyota Defendants are also requesting that a Final Order of Dismissal With Prejudice provide that all costs are taxed against the party incurring same, and that Plaintiffs and the Toyota Defendants shall each bear the cost of their own attorney's fees.
4. Plaintiffs and Toyota Motor Corporation, Toyota Motor Engineering & Manufacturing North America, Inc., and Toyota Motor Sales, U.S.A., Inc. request the Court sign and enter the attached Final Order of Dismissal With Prejudice which is being filed contemporaneously with this agreed motion.

Respectfully submitted,

/s/ Daryl K. Washington

Daryl K. Washington

State Bar No. 24013714

dwashington@dwashlawfirm.com

LAW OFFICES OF DARYL K. WASHINGTON
P.C.

325 N. St. Paul St., Suite 1975

Dallas, Texas 75201

214.880.4883 Telephone

214.7 51.6685 Facsimile

And

Aubrey "Nick" Pittman

State Bar No. 16049750

pittman@thepittmanlawfirm.com

THE PITTMAN LAW FIRM, P.C.

1 00 Crescent Court, Suite 700

Dallas, Texas 75201

214.459.3454 Telephone

214.853.5912 Facsimile

ATTORNEYS FOR PLAINTIFFS

/S/ DAVID P. STONE

KURT C. KERN

State Bar No. 11334600

kurt.kern@bowmanandbrooke.com

DAVID P. STONE

State Bar No. 19289060

david.stone@bowmanandbrooke.com

JUDE T. HICKLAND

State Bar No. 24065416

jude.hickland@bowmanandbrooke.com

BOWMAN AND BROOKE LLP

2501 North Harwood Street, Suite 1700

Dallas, Texas 75201

(972) 616-1700

(972) 616-1701 (fax)

ATTORNEYS FOR TOYOTA DEFENDANTS

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been forwarded to all known counsel of record in this cause in accordance with the Federal Rules of Civil Procedure on this 15th day of September, 2014.

/S/ DAVID P. STONE